

MEDINA CITY COUNCIL
REGULAR MEETING MINUTES

May 9, 2005
7:00 pm

Medina City Hall
501 Evergreen Point Road

EXECUTIVE SESSION

A special meeting of the City Council was noticed to conduct an Executive Session prior to regular meeting, to discuss labor negotiations. The session began at 5:30 pm and adjourned at 6:15 pm. All city council members, city labor attorney, Scott Snyder, and city manager were present.

CALL TO ORDER

Mayor Odermat called the May 9, 2005, Medina City Council meeting to order at 7:02 pm.

ROLL CALL

Present: Mayor Mary Odermat, Deputy Mayor Todd Nunn (*arrived 8:39 pm*)
Council members Miles Adam, Drew Blazey, Katie Phelps, Bob Rudolph, and Pete Vall-Spinosa

City Staff Present: Douglas Schulze, City Manager; Wayne Tanaka, City Attorney, Ogden Murphy Wallace; Jeff Chen, Chief of Police; Joseph Gellings, Director of Development Services, Joe Willis, Director of Public Works; and Rachel Baker, Administrative Assistant

MEETING AGENDA

COUNCIL AGREED TO REORDER AGENDA TO ACCOMMODATE AUDIENCE MEMBERS ATTENDING MEETING, 7:04 PM.

ANNOUNCEMENTS

Mayor (7:04 pm)

Odermat announced:

- Water Resource Inventory Area 8 (WRIA8) Forum meeting would be held, Thursday, May 12th, 3:30 – 5:30 pm at Mercer Island City Hall.
- State Route 520 Executive Committee meeting would be held, Thursday, May 19th, 1:00 to 4:00 pm at St. Lukes Christian Church and will be open to the public.
- Eastside Transportation Partnership (ETP) meeting scheduled for Friday, May 13th, 7:30 am at Unigard in Bellevue.

Mayor thanked the Public Works crew for organizing the Arbor Day event on April 29th and the Park Board, resident Lucius Biglow, and wildlife photographer, Morey Wetherald, for hosting the blue heron event, Saturday, April 30th at St. Thomas Episcopal Church and Saturday May 1st in Medina Park.

Council (7:05 pm).

No announcements.

Staff (7:06 pm)

Schulze requested a brief Executive Session to discuss pending litigation and predicted a ten-minute discussion followed by council action. Council agreed to conduct a brief Executive Session following the meeting.

CONSENT AGENDA

MOTION BLAZEY, SECOND RUDOLPH TO APPROVE CONSENT AGENDA ITEMS:

- Minutes from April 11, 2005 Council Meeting
- Minutes from April 25, 2005 Study Session
- Approval of April 2005 Checks/Finance Officer's Report

MOTION PASSED 6-0, 7:06 PM.

AUDIENCE PARTICIPATION

(Non-agenda items)

Connie Gerlitz, Park Board Chair (7:07 pm)

Gerlitz shared a heron story with council members and audience members, which was captured during the heron slide show on April 29th.

Bud Eschbach, 8247 Overlake Drive West (7:10 pm)

Resident said he walks daily in Medina Park and recommended council consider off-leash area rule changes: off-leash June to September, and west end of park off-leash until 10:00 am.

PUBLIC HEARING

Continuation of Site Plan Review (7:12 pm)

Nunn recused from continued Public Hearing and council discussion of Site Plan Review.

Gellings reintroduced Site Plan Review and summarized Planning Commission's review of a reduced threshold from the May 3rd meeting. Gellings indicated the Planning Commission would like to continue discussion of item and determine additional factors and speculated this would require additional meetings. Gellings conveyed Planning Commission's recommendation that City Council adopt 80,000 square foot trigger until additional review of 40,000 square foot trigger could take place.

Gellings summarized the two comment letters received and proposals offered in letters submitted by Preston Gates Ellis and Seneca Group, representing Cascade Trust.

Gellings requested and council agreed to possibly include proposals into a revised ordinance and city attorney would review ordinance language.

Discussion followed.

Mayor opened floor to public comment.

Konrad Liegel, Preston Gates & Ellis, 1103 - 18th Ave E, Seattle (7:46 pm)

Liegel attended meeting on behalf of Bill and Melinda Gates and agreed ordinance should be reviewed by city attorney for clarity. Liegel commended Gellings and Planning Commission for efforts, but expressed additional work is required before approval. Liegel suggested ordinance be narrowly focused and coordinated with construction mitigation and to include flexibility or relief of requirements from other ordinances.

Mike Stanley, Cascade Trust, 1503 - 28th W, Seattle (7:50 pm)

Stanley attended meeting, representing Cascade Trust. Stanley reiterated privacy and security concerns associated with specific designation of private living areas and cautioned the hearing process would likely attract a greater interest to others outside of Medina. Stanley said site plan review could help achieve the best design for all involved in process from applicant to community however, there should be trade offs with large sites, such as setbacks or other compensation. Stanley encouraged early feedback from city for design review and that there be a level of expectation for minor changes and a reasonable expedite process.

Mayor closed public comment period, 7:59 pm.

Discussion followed.

Mayor conducted an informal poll of council and determined a split 3-3 vote to approve Site Plan Review ordinance as presented. Tanaka recommended council direct Planning Commission to continue review and further define ordinance, 8:31 pm.

Odermat called a ten-minute recess and requested councilmember Nunn be contacted to attend meeting, 8:31 pm. Meeting called to order with Nunn in attendance, 8:39pm.

Mayor surveyed audience to determine item priority and reordered agenda accordingly. Odermat announced Administrative Variance Public Hearing would be continued to June 13th City Council meeting, however, public testimony would be recorded into the record this evening.

Administrative Variances (8:41pm)

Susan Potts, 8443 Northeast Sixth Street (8:42 pm)

Resident announced she resides in Medina Heights and expressed concern about public noticing for administrative variances. Potts said the neighborhood character should be protected and suggested reducing trigger to 12-18 inches.

Odermat stated noticing efforts would remain the same and residents would still be allowed to submit comments.

Mayor announced public hearing would be continued to June 13th City Council meeting and additional public comment would be accepted at that time.

OTHER BUSINESS

Discussion of Citizen Survey Topics and Questionnaire (8:47 pm)

Bruce Brown and Kelly Snyder presented a brief overview of work completed since last council meeting.

Brown distributed draft survey for council review and requested council members focus on content and importance of questions to help eliminate response time and asked council to contact him if there are other issues to address or delete. Brown requested council forward completed forms Schulze by Monday, May 16th, and Brown would consolidate council responses.

Consideration of Ordinance amending 2005 Budget for Police Canine Unit (8:56 pm)

Schulze introduced item and summarized results from April 11th meeting. Schulze defined options developed for consideration, which were included in the meeting packet.

Mayor opened floor to public comment (9:07 pm)

Tim O'Brien, 7657 NE 14th Street, Medina (9:08 pm)

O'Brien favored canine unit and told a story which occurred on his street involving a car break-in and a chase through the golf course and Clyde Hill. O'Brien said the Kirkland canine unit was called in and apprehended the subject, who was a wanted pedophile

and heroine addict. O'Brien stated the canine unit would be a crime prevention tool and could be marketed to further reduce criminal intent in Medina.

Judy Sidell, 2238 – 79th Avenue, Medina (9:12 pm)

Sidell recalled comments from the public and dissenting councilmembers made during the April 11th public hearing. Sidell stated it would be prudent for council to invest in public safety and urged council to accept the gift, use city's financial reserves and vote in favor of additional police handler salary.

John Dernalmer, 1600 – 77th Avenue Northeast (9:13 pm)

Resident recalled the tale of Willie Sutton and compared his crimes to Medina. Dernalmer expressed appreciation to the Medina Police Department for protecting residents and homes. Resident said the officers should have the best weapons and defenses available, stating a canine core would serve a dual function of protecting police and keeping criminals away. Dernalmer indicated he had spoken to the mayor of Hunts Point and was told the town would contribute additional funds on a pro rata basis.

Bob Buote 1810 – 73^d Avenue Northeast, Medina (9:16 pm)

Buote spoke in favor of canine unit and stated he had emailed his position to council members. Resident urged council to support proposal, as it would provide an effective tool for officer safety and allow the police department to do their jobs better, better track criminals, and aid in emergency situations. Buote suggested one successful emergency search and rescue effort would pay for the unit itself.

Holly Holman, Civil Service Commission Chair, 3310 Evergreen Point Road, Medina (9:18 pm)

Holman urged council to fund the canine unit and stated it would be an effective tool for the police department, especially given the layout of Medina's narrow, private lanes, large and small lots and considerable vegetation.

Judie O'Brien 7657 Northeast 14th Street, Medina (9:19 pm)

O'Brien commented the criminal her husband (Tim O'Brien) chased would not have been captured without the aid of the dog. O'Brien said dogs are a deterrent and would be an excellent tool for the police department. Resident expressed concern to Medina's increasing crime rate and the number of children in the community and urged council to vote in favor of the ordinance.

Janie Lee, 1259 Evergreen Point Road, Medina (9:20 pm)

Resident recounted how she has experienced crime personally and through friends before moving to Medina and of incidents, which occurred in her Medina neighborhood.

Lee pleaded for council to approve the budget amendment to ensure the safety of the community and the children.

Joy Lundquist 8621 Northeast Sixth, Medina (9:23 pm)

Forty-year resident urged council to vote in favor of the canine unit. Lundquist expressed Medina is not a safe community, as she and her daughter-in-law have been burglarized twice. Resident compared costs of the canine unit to costs related to crime.

Wilma Edmonds, 7721 Northeast 24th Street, Medina (9:25 pm)

Edmonds complimented performance of the Medina police force. Resident stated she wouldn't feel safer with a canine, but her position on the topic is neutral. Edmonds commented crime prevention begins with common sense and public awareness.

Henry Paulman 1415 80th Avenue Northeast, Medina (9:26 pm)

Paulman expressed support for canine, if expense and service would be shared with neighboring communities.

Mayor closed floor to public participation (9:27 pm)

Discussion followed.

MOTION PHELPS, SECOND VALL-SPINOSA TO EXTEND MEETING 45 MINUTES, MOTION PASSED, 7-0, 10:03 PM
--

MOTION PHELPS, SECOND NUNN TO ADOPT BUDGET AMENDMENT OPTION A, IN THE AMOUNT OF \$103,720, MOTION FAILED 4-3; ADAM, BLAZEY AND VALL- SPINOSA OPPOSED, 10:15 PM.

**Super-majority vote required for passage of budget amendment.*

Update on Regional Public Safety Communications Consortium Project (10:16 pm)

Schulze defined system and projected implementation dates. Odermat agreed council should give input to staff.

REPORTS

Police Department (10:18 pm)

Chen reported eleven citizens attended Identity Theft class on April 26th. Chen conveyed the department received excellent resident feedback and plan to offer additional sessions. Chen provided an update of mail theft arrests and summarized a recent incident involving two Medina children and the department's effort to educate young people to be better citizens.

Development Services (10:20 pm)

Gellings confirmed fill calculations submitted for Green Store are accurate, due to crawlspace currently under building.

Gellings reported an advertisement would be placed in the newsletter to announce vacant Planning Commission position.

Public Works Department (10:22 pm)

Willis confirmed dates regarding beach project timeline and Adam inquired about playground equipment funding. Willis stated additional woodchips would be installed at the playground in Medina Park.

City Manager (10:24 pm)

Rudolph inquired about outstanding building permit fees and if action could be taken. Schulze indicated he would follow up. Tanaka stated he is familiar with one company that could track and recover city sales tax revenue and offered to locate name of company.

Council Agenda Calendar (10:37 pm)

Blazey announced he would be absent from meetings between June 28th through July 27th, Rudolph stated he would be absent during the June Study Session, and Phelps reported she would be unable to attend the May Study Session.

EXECUTIVE SESSION

Council recessed into Executive Session to discuss pending litigation at 10:44 pm and returned at 10:52 pm.

MOTION BLAZEY, SECOND VALL-SPINOSA TO AUTHORIZE CITY ATTORNEY TO ACCEPT SETTLEMENT PROPOSAL IN PAULMAN CASE, AS DISCUSSED, MOTION PASSED 7-0, 10:52 PM.

ADJOURNMENT

MOTION ADAM, SECOND VALL-SPINOSA, TO ADJOURN MAY 9, 2005 REGULAR MEETING OF THE MEDINA CITY COUNCIL, MOTION PASSED WITH ALL IN FAVOR, 10:52 PM.

The May 9, 2005, Regular Meeting of the Medina City Council adjourned, 10:52 pm.

The City Council Study Session will be held, Monday, May 23, 2005, 7:00 pm.

Mayor Mary Odermat

Attest:

Rachel Baker, Administrative Assistant